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Attorneys for Defendant and Counterclaimant  
THE TRUSTEES OF THE UNIVERSITY OF  
PENNSYLVANIA

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

GENENTECH, INC.,

Plaintiff and Counterclaim  
Defendant

v.

THE TRUSTEES OF THE UNIVERSITY OF  
PENNSYLVANIA,

Defendant and Counterclaimant

Case No. 5:10-cv-02037-LHK (PSG)

Hon. Paul S. Grewal

Dept: Courtroom 5, Fourth Floor

Date Comp. Filed: May 11, 2010

Trial Date: None Set.

**~~PROPOSED~~ ORDER GRANTING  
GENENTECH'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL ITS  
MOTION FOR DETERMINATION OF  
PRIVILEGE AND EXHIBITS THERETO  
[DKT. NO. 344]**

As set forth in Genentech's Administrative Motion To File Under Seal its Letter Brief Motion for Determination of Privilege and select exhibits thereto, Genentech has lodged under seal with the Court its letter brief motion and exhibits 3, 4, 5, 9, 10, 11, and 13 thereto. For the reasons set forth in the motion and the University's later filed declaration supporting seal for Exhibits 3, 4, 5, 9 and 13 and for good cause shown, Genentech's motion is GRANTED IN PART as follows:

- An unredacted copy of Genentech's Letter Brief and Exhibits 3, 4, 5, 9, and 13 shall be shall be filed under seal.
- A redacted version of the Letter Brief—with passages describing, quoting, citing, or discussing Exhibits 3, 4, 5, 9 and 13 redacted—is to be filed in the public record.
- Exhibits 10 and 11 are to be filed in the public record.

**IT IS SO ORDERED.**

DATED: October 21, 2011

Paul S. Grewal  
HONORABLE PAUL S. GREWAL  
UNITED STATES MAGISTRATE JUDGE